

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW ALBRIGHT, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

Civil Action No. 1:22-cv-07281

v.

TERRAFORM LABS, PTE. LTD., JUMP
TRADING LLC, DELPHI DIGITAL
CONSULTING, INC., DO KWON,
NICHOLAS PLATIAS, LUNA
FOUNDATION GUARD LTD., JOSE
MACEDO, KANAV KARIYA, and REMI
TETOT,

Hon. Jed S. Rakoff

Defendants.

**DECLARATION OF DOUGLAS W. HENKIN IN SUPPORT OF
TERRAFORM LABS, PTE. LTD, LUNA FOUNDATION GUARD LTD. AND DO KWON'S
MOTION TO DISMISS THE AMENDED CLASS ACTION COMPLAINT
PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(B)(2) AND 12(B)(6)**

Douglas W. Henkin declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney duly admitted to practice law before this Court and a partner with the law firm of Dentons U.S. LLP, counsel for Defendants Terraform Labs Pte. Ltd (“TFL”), Luna Foundation Guard Ltd (“LFG”), and Do Kwon, in the above-captioned action. I make this Declaration in support of the Motion to Dismiss filed by TFL, LFG, and Mr. Kwon. This declaration is based on my personal knowledge except as otherwise indicated.

2. Attached hereto are true and correct copies of the following documents:

Exhibit A. Evan Kereiakes et al., *Terra Money: Stability and Adoption*, April 2019.

Exhibit B. Nicholas Platias et al., *Anchor: Gold Standard for Passive Income on the Blockchain*, June 2020.

Exhibit C. LFG Press Release, *Luna Foundation Guard (LFG) Officially Formed as Non-Profit Organization Dedicated to Supporting The Terra Ecosystem and Open-Source Technology*, January 19, 2022

Exhibit D. LFG Press Release, *Luna Foundation Guard (LFG) Raises \$1 Billion for a Bitcoin-Denominated Forex Reserve for Terra's UST Stablecoin*, February 22, 2022.

Exhibit E. LFG Press Release, *LFG to Acquire \$100M in AVAX to Strategically Align Terra and Avalanche Ecosystems*, April 7, 2022.

Exhibit F. JS Held, *Analysis – Terraform Labs' and Luna Foundation Guard's Defense of the UST Price Peg*, November 9, 2022.

Exhibit G. Constitution of Terraform Labs Pte. Ltd., April 23, 2018.

Exhibit H. Alexander Osipovich, *Do Kwon's Crypto Empire Fell in a \$40 Billion Crash. He's Got a New Coin for You*, Wall Street Journal, June 22, 2022.

Exhibit I. Twitter thread by "LUNCDAO," October 23, 2022.

Exhibit J. Twitter thread by Do Kwon, November 16, 2022.

Exhibit K. Anchor Protocol Terms of Service, October 12, 2021.

Exhibit L. Medium post by Remi Tetot, June 2, 2022.

Exhibit M. Email thread with Plaintiff's Counsel Regarding Anchor Protocol, December 5, 2022.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on December 5, 2022 in New York, New York.

/s/ Douglas W. Henkin

Douglas W. Henkin

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